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Case PA-119INFINITY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of R. Lee Roberts et al. :

Serial No.: 08/935,365 : Examiner: M. OCAMPO

Filed: September 22, 1997 : Group Art Unit: 1723

For: LOW PROFILE EXTRUDED
UNDERDRAIN : :

AMENDMENT AFTER BOARD DECISION

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

In view of the Opinion of the Board of Patent Appeals and Interferences dated January 27, 2003, and the Opinion of the Board of Patent Appeals and Interferences dated April 28, 2003, Appellants amend the above-identified patent application as follows:

IN THE CLAIMS

Please cancel Claims 1 to 5.

REMARKS

The Board of Patent Appeals and Interferences sustained the Examiner's rejection of Claims 1 to 5 but reversed the rejections of Claims 6, 7, 18, 19 and 28. The Board also "merely proposed" that the Examiner consider whether the combined teachings of Roberts, Berkebile and Brown '388 render obvious Claims 6, 7 and 28. (See Opinion dated April 28, 2003, pp. 2 and 3)

Appellants respectfully submit that the cancellation of Claims 1 to 5 place the subject